

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

PATRICK TAVARES,

Case No.:

18-11636-MBK

Judge:

Kaplan

Debtor(s)

Chapter 13 Plan and Motions

- Original Modified/Notice Required Date: 7/1/2021
 Motions Included Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

- DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.
- DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.
- DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ANS

Initial Debtor: /s/PT

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 212.00 per month to the Chapter 13 Trustee, starting on 7/1/2021 for approximately 19 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future earnings

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property

Description:

Proposed date for completion: _____

Refinance of real property:

Description:

Proposed date for completion: _____

Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ any
DOMESTIC SUPPORT OBLIGATION		additional amounts awarded by Court.
Allen Orellana	Wages	\$525.00 (POC #12)
Craig Hargrove	Wages	\$187.50 (POC #10)
Timothy Wojcik	Wages	\$75.00 (POC #13)
Yin Lai	Wages	\$900.00 (POC #11)

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

None

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan
Harley-Davidson Credit Corp.	2011 Harley	\$11,590.66 (POC #2)

Part 5: Unsecured Claims NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- Not less than \$ _____ to be distributed *pro rata*
- Not less than _____ percent
- Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal, and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- Upon confirmation
 Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative / Legal Fees and Costs
- 3) Secured Claims
- 4) Priority Unsecured Claims
- 5) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee is, is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 01/27/18 Docket No. 2.

<p>Explain below why the plan is being modified: The Plan is being modified to extend time to pay balance of amounts due per filed claims and to reflect payment amount based on current income and expenses.</p>	<p>Explain below how the plan is being modified: Part 1 is being modified to reflect 19 months left of payments (60 month Plan total), and to reflect payments of \$212.00 moving forward.</p>
--	---

Are Schedules I and J being filed simultaneously with this Modified Plan?

Yes No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 7/1/2021

/s/Patrick Tavares
Debtor

Date: _____

Joint Debtor

Date: 7/1/2021

/s/Angela N. Stein
Attorney for Debtor(s)

In re:
Patrick Tavares
Debtor

Case No. 18-11636-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin

Page 1 of 3

Date Rcvd: Jul 02, 2021

Form ID: pdf901

Total Noticed: 56

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- # Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 04, 2021:

Recip ID	Recipient Name and Address
db	# Patrick Tavares, 80 Encampment Dr, Bedminster, NJ 07921-1831
aty	+ Middlebrooks & Shapiro, P.C., Middlebrooks Shapiro, P.C., 841 Mountain Avenue, First Floor, Springfield, NJ 07081 UNITED STATES 07081-3437
517300202	Allen Orellana, 339 Bergen St # B, South Plainfield, NJ 07080-3320
517636106	+ Allen S. Orellana, 339 Bergen St Apt B, South Plainfield NJ 07080-3320
517300203	American Express, PO Box 981537, El Paso, TX 79998-1537
517300204	Amerifinancial Solutions, PO Box 65018, Baltimore, MD 21264-5018
517300206	Berkshire Hathaway Insurance, PO Box A-H, 16 South River Street, Wilkes Barre, PA 18703-0020
517300208	Central Jersey Emergency Med Assoc PC, PO Box 7200, Freehold, NJ 07728-7200
517300210	Chefs Warehouse/Dairyland, 240 Food Center Dr, Bronx, NY 10474-7045
517300211	Coca Cola Refreshments, PO Box 4108, Boston, MA 02211-4108
517300212	Craig Hargrove, 131 Westfield Rd, Fanwood, NJ 07023-1411
517636084	+ Craig S. Hargrove, 131 Westfield Rd, Fanwood NJ 07023-1411
517300216	First National Credit, 500 E 60th St N, Sioux Falls, SD 57104-0478
517300217	First Premier Bank, 3820 N Louise Ave, Sioux Falls, SD 57107-0145
517319732	+ Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
517300220	Macintosh Linen & Uniform, PO Box 91290, Allentown, PA 18109-1300
517300222	+ Mooney General Paper Co, 1451 Chestnut Ave, Hillside, NJ 07205-1195
517300223	Optimum Business Services, 6 Corporate Center Dr, Melville, NY 11747-3845
517300228	PSEG, PO Box 14444, New Brunswick, NJ 08906-4444
517300225	Paycor Select Team, 10550 Deerwood Park Blvd # 306, Jacksonville, FL 32256-2805
517300226	Pettoni Breads Inc, 28 Little Doe Run, Oak Ridge, NJ 07438-8883
517300227	Print Post, Nuno Perdig, 274 Chestnut St, Newark, NJ 07105-1559
517300229	Sadie Smith, 126 Division Ave, Millington, NJ 07946-1324
517300231	Sebrings Mills Realty Assoc, c/o Ernest A Renda Esq, 68 Finderne Ave, Bridgewater, NJ 08807-3287
517300232	Sebrings Mills Realty Associates, 1107 Goffle Rd, Hawthorne, NJ 07506-2000
517636107	+ Timothy J. Wojcik, 12 Laurel St, South Amboy NJ 08879-1133
517300235	Timothy Wojcik, 12 Laurel St, South Amboy, NJ 08879-1133
517300240	Wells Fargo, PO Box 94435, Albuquerque, NM 87199-4435
517636104	#+ Yin L. Lai, 63 Gatehouse Ln, Edison NJ 08820-4008
517300241	# Yin Lai, 63 Gate House Ln, Edison, NJ 08820-4008

TOTAL: 30

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Jul 02 2021 20:17:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	Jul 02 2021 20:17:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
517300205	Email/Text: bk@avant.com	Jul 02 2021 20:17:00	Avant, 222 N La Salle St Ste 1700, Chicago, IL 60601-1101

District/off: 0312-3

Date Recd: Jul 02, 2021

User: admin

Form ID: pdf901

Page 2 of 3

Total Noticed: 56

517300207	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 02 2021 20:23:49	Capital One Bank USA NA, PO Box 30281, Salt Lake City, UT 84130-0281
517300213	Email/Text: bankruptcy_notifications@ccsusa.com	Jul 02 2021 20:17:00	Credit Collection Services, 725 Canton St, Norwood, MA 02062-2679
517300214	Email/PDF: creditonebknotifications@resurgent.com	Jul 02 2021 20:23:59	Credit One Bank, PO Box 98872, Las Vegas, NV 89193-8872
517300215	Email/Text: mrdiscen@discover.com	Jul 02 2021 20:17:00	Discover Financial Services LLC, PO Box 15316, Wilmington, DE 19850-5316
517313733	Email/Text: mrdiscen@discover.com	Jul 02 2021 20:17:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
517300218	Email/Text: bankruptcy.notices@hdfsi.com	Jul 02 2021 20:17:00	Harley Davidson Credit, 3850 Arrowhead Dr, Carson City, NV 89706-2016
517300209	Email/PDF: ais.chase.ebn@americaninfosource.com	Jul 02 2021 20:23:48	Chase/Bank One Card Serv, PO Box 15298, Wilmington, DE 19850-5298
517435713	Email/PDF: resurgentbknotifications@resurgent.com	Jul 02 2021 20:34:15	LVNV Funding, LLC its successors and assigns as, assignee of U.S. Bank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
517437181	Email/PDF: resurgentbknotifications@resurgent.com	Jul 02 2021 20:34:14	LVNV Funding, LLC its successors and assigns as, assignee of Avant Loans Funding Grantor, Trust 2016-B, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
517300219	+ Email/Text: bk@lendingclub.com	Jul 02 2021 20:17:00	Lending Club, 71 Stevenson St Ste 1000, San Francisco, CA 94105-2967
517300221	Email/Text: bknottices@mbandw.com	Jul 02 2021 20:17:00	McCarthy Burgess & Wolff, 26000 Cannon Rd, Cleveland, OH 44146-1807
517368687	+ Email/Text: bankruptcydpt@mcmcg.com	Jul 02 2021 20:17:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
517424664	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jul 02 2021 20:23:59	Portfolio Recovery Associates, LLC, c/o Capital One Bank (USA), N.a., POB 41067, Norfolk VA 23541
517391341	+ Email/Text: JCAP_BNC_Notices@jcap.com	Jul 02 2021 20:17:00	Premier Bankcard, Llc, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
517413936	Email/Text: bnc-quantum@quantum3group.com	Jul 02 2021 20:17:00	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
517300233	Email/PDF: gecsed@recoverycorp.com	Jul 02 2021 20:23:45	SYNCB/Sams, PO Box 965005, Orlando, FL 32896-5005
517300230	Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 02 2021 20:34:32	Sears/CBNA, PO Box 6282, Sioux Falls, SD 57117-6282
517300676	+ Email/PDF: gecsed@recoverycorp.com	Jul 02 2021 20:24:04	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
517300234	Email/Text: bankruptcy@td.com	Jul 02 2021 20:17:00	TD Bank, PO Box 1377, Lewiston, ME 04243-1377
517300236	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Jul 02 2021 20:17:00	US Bank, CB Disputes, PO Box 108, Saint Louis, MO 63166-0108
517300238	Email/Text: vci.bkcy@vwcredit.com	Jul 02 2021 20:17:00	Volkswagen Credit, PO Box 3, Hillsboro, OR 97123-0003
517300239	Email/Text: vci.bkcy@vwcredit.com	Jul 02 2021 20:17:00	VW Credit Inc, 1401 Franklin Blvd, Libertyville, IL 60048-4460
517300237	Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Jul 02 2021 20:16:00	Verizon, 500 Technology Dr Ste 300, Weldon

District/off: 0312-3

User: admin

Page 3 of 3

Date Rcvd: Jul 02, 2021

Form ID: pdf901

Total Noticed: 56

Spring, MO 63304-2225

TOTAL: 26

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
517300224	*	Patrick Tavares, 80 Encampment Dr, Bedminster, NJ 07921-1831

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 04, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 1, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Angela Nascondiglio Stein	on behalf of Debtor Patrick Tavares nascondiglio@middlebrookssapiro.com
Denise E. Carlon	on behalf of Creditor Harley-Davidson Credit Corp dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com
Melinda D. Middlebrooks	on behalf of Debtor Patrick Tavares middlebrooks@middlebrookssapiro.com melindamiddlebrooks@gmail.com
Rebecca Ann Solarz	on behalf of Creditor Harley-Davidson Credit Corp rsolarz@kmllawgroup.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6